

RECEIVED  
CENTRAL FAX CENTER

AUG 22 2005

DARBY &  
DARBY805 Third Avenue  
New York, NY 10022  
Tel: (212) 527-7700  
Fax: (212) 753-6237

E-MAIL:

FILE #: 07862/0201646-USO

DATE: 8/22/05

NUMBER TRANSMITTING TO: 203-746-9195

RECIPIENT: OIPE

COMPANY: United States Patent and Trademark Office

FROM: Lynn Barrison

NO. OF PAGES TRANSMITTING  
(INCLUDING COVER SHEET)\*: 7CONFIRMATION OF THIS TRANSMISSION WILL FOLLOW BY  
FIRST CLASS MAIL (Y/N): No

COMMENTS:

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THIS DOCUMENT AT NO COST TO YOU. THANK YOU.

PLEASE RETURN TO

*Julien Williams*

\* IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT (212) 527-7774

BEST AVAILABLE COPY



Error in	Correct data
<input checked="" type="checkbox"/> Applicant's name	Kazunori Sato, Akashi-shi, Japan
<input type="checkbox"/> Applicant's address	
<input type="checkbox"/> Title	
<input type="checkbox"/> Filing Date	
<input type="checkbox"/> Application Number	
<input type="checkbox"/> Foreign/PC/T Application Re:	
<input type="checkbox"/> Other	


## Remarks:

Enclosed please find a copy of the executed Declaration.

The Commissioner is respectfully requested to issue a new and correct Filing Receipt.

Respectfully submitted,

Dated: August 22, 2005

  
\_\_\_\_\_  
Flynn Barrison  
Reg. No. 53,970  
Agent for Applicant(s)DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
212-527-7700

{W:\09852\0201645us0\00385354.DOC 000000000000000000000000}



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address EXAMINER FOR PATENTS  
 P.O. Box 1870  
 Alexandria, Virginia 22312-1470  
 www.uspto.gov

APPL. NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY DCKET NO	DRAWINGS	TO F CLMS	IND CLMS
10/501,805	07/19/2004	3724	920	09852/0201645-USO	5	2	2

CONFIRMATION NO. 6617

Darby & Darby  
 805 Third Avenue  
 New York, NY 10022

## FILING RECEIPT



\*OC00000016222008\*

Date Mailed: 06/08/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thorough. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Kazunori Sata, Akashi-shi, JAPAN;  
 Akihiro Kondo, Akashi-shi, JAPAN;  
 Yusuke Tanaka, Akashi-shi, JAPAN;

## Power of Attorney:

Gordon Coplein--19165  
 Bert Lewen--19407  
 Michael Sweedler--19937  
 Paul Fields--20298  
 S Ludwig--25351

Melvin Garner--26272  
 Joseph Lerch--26936  
 Ethan Horwitz--27646  
 Adda Gogoris--29714  
 Marie Collazo--44085

Computer *Law*  
 Sub Entry *Law*  
 Supplement *Law*  
 Tables *Law*  
 Check *Law*  
 Station *Law*  
 Signature *Law*

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT:JP03/00220 01/14/2003

## Foreign Applications

JAPAN 2002-11478 01/21/2002  
 JAPAN 2002-49893 02/26/2002  
 JAPAN 2002-60208 03/06/2002

If Required, Foreign Filing License Granted: 06/08/2005

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/501,805

Projected Publication Date: 06/16/2005

BEST AVAILABLE COPY

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Surface-coated cutting tool member having hard coating layer exhibiting superior wear resistance during high speed cutting operation and method for forming hard coating layer on surface of cutting tool

**Preliminary Class**

083

---

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12. If a license is desired before the expiration of 6 months from the filing date of the application, if 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DARBY & DARBY PC  
AND POWER OF ATTORNEY  
Original Application

006/006

ATTORNEY'S DOCKET NO. (IF ANY)

085-210201645-1430

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural inventors are named below at 201-203, of the invention entitled:  
**SURFACE-COATED CUTTING TOOL MEMBER HAVING HARD COATING LAYER EXHIBITING SUPERIOR WEAR**

**RESISTANCE DURING HIGH SPEED CUTTING OPERATION AND METHOD FOR FORMING HARD COATING LAYER**  
 which is described and claimed in: **ON SURFACE OF CUTTING TOOL**

☐ the attached specification or ☒ the specification in application Serial No. **PCT/JP03/00220** filed **January 14, 2003**  
 (for declaration not accompanying application)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 CFR 1.56(a), and that no application for patent or inventor's certificate on this invention has been filed by me or my legal representatives or assigns in any country foreign to the United States of America except as identified below. I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
Japan	Patent 2002-011478	21/January/2002	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Japan	Patent 2002-049893	26/February/2002	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Morris Nelson #15,108, Gordon D. Coplein #19,165, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Elhan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Goggin #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, all of the firm of Darby & Darby P.C., 805 Third Avenue, New York, New York 10022

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
DARBY & DARBY P.C. 805 Third Avenue New York, New York 10022	(212) 697-7660

201	FULL NAME OF INVENTOR	LAST NAME SATO	FIRST NAME Kazunori	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Akashi-shi	STATE OR FOREIGN COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
	POST OFFICE ADDRESS	POST OFFICE ADDRESS c/o MITSUBISHI MATERIALS KOBE TOOLS CORPORATION, 179-1, Nishioike, Kanagasaki, Uozumicho, Akashi-shi, Hyogo-ken, Japan		
202	FULL NAME OF INVENTOR	LAST NAME KONDO	FIRST NAME Akihiro	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Akashi-shi	STATE OR FOREIGN COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
	POST OFFICE ADDRESS	POST OFFICE ADDRESS c/o MITSUBISHI MATERIALS KOBE TOOLS CORPORATION, 179-1, Nishioike, Kanagasaki, Uozumicho, Akashi-shi, Hyogo-ken, Japan		
203	FULL NAME OF INVENTOR	LAST NAME TANAKA	FIRST NAME Yusuke	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Akashi-shi	STATE OR FOREIGN COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
	POST OFFICE ADDRESS	POST OFFICE ADDRESS c/o MITSUBISHI MATERIALS KOBE TOOLS CORPORATION, 179-1, Nishioike, Kanagasaki, Uozumicho, Akashi-shi, Hyogo-ken, Japan		

If Additional matter on page 2 (Form PTO-1299). (When page 2 is used, all signatures should be placed on page 2.)  
 I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE

BEST AVAILABLE COPY